U.S. Department of Homeland Security
500 C Street, S.W. Mail Stop 3172
Washington, DC 20472-3172

November 28, 2014

**SENT VIA E-MAIL TO:** [redacted]

David Cole
[redacted]

**Re: FEMA 13-123/2013-FEFO-00487 Final Response**

Dear Mr. Cole:

This is the final response to your November 12, 2013, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA). You requested records described in the transfer memorandum of World Trade Center data from FEMA to the National Institute of Science and Technology (NIST), dated June 11, 2002, under #9, House Science Committee Hearings. Your request was received by this office on November 13, 2012.

Pursuant to the transfer of FEMA records from NIST back to FEMA, a comprehensive search of the records was conducted for documents responsive to your request. The search produced a total of 129 pages. After review, we have determined that 106 pages are being released in their entirety and portions of the remaining 23 pages have been withheld pursuant to the FOIA, Title 5 U.S.C. § 552(b)(6) as described below.

> **FOIA Exemption 6** exempts from disclosure of personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter within 60 days of the date of this letter to the subsequent address: OCAO/Records Management Division (FOIA Appeals), FEMA, 500 C. Street SW, Seventh Floor, Mail Stop 3172, Washington, DC 20472-3172, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because of the delay in responding to your request, we are waiving any fees associated with the processing of it.

If you have any questions or would like to discuss this matter, please contact this office at (202) 646-3323 or electronically at FEMA-FOIA@fema.dhs.gov and refer to **FEMA 13-123 (2013-FEFO-00487)**.

Sincerely,

PEARLENE ROBINSON Digitally signed by PEARLENE ROBINSON DN: c=US, o=U.S. Government, ou=Department of Homeland Security, ou=FEMA, ou=People, cn=PEARLENE ROBINSON, 0.9.2342.19200300.100.1.1=0041578104.FEMA Date: 2014.11.28 12:22:25 -05'00'

Pearlene Robinson
FOIA Team Lead
Disclosure Branch
Records Management Division
Mission Support

Enclosure(s): Responsive documents (129 pages)